

**BROOKLYN LEGAL SERVICES CORP. A**  
The primary provider of free legal services to low income clients  
throughout North and East Brooklyn

Chairman of the Board  
Valarie Hing, Esq.

Project Director & Chief Counsel  
Martin S. Needelman, Esq.

General Counsel  
Paul J. Acinapura, Esq.

Joseph M. Sanders, Esq.  
Staff Attorney  
Anti-Predatory Lending/Foreclosure Prevention  
East New York Office  
80 Jamaica Avenue  
Brooklyn, NY 11207  
(718) 487-1300  
Fax: (718) 342-1780  
Email: jsanders@bka.org

October 2, 2009

Hon. Nicholas Garaufis  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
New York, NY 11201  
*Via ECF and Regular Mail*

Re: M&T v. White, White v. Better Homes Depot  
Docket No. 04 CV 4775;

Council v. Better Homes Depot  
Docket No. 04 CV 5620

Dear Judge Garaufis,

I have the unfortunate task of informing you that Richard J. Wagner, Esq., the Director of Litigation for Brooklyn Legal Services Corporation A (Brooklyn A), passed away Sunday, September 20, 2009. Mr. Wagner died in his home of what appears to have been a heart attack.

Mr. Wagner represented Third Party Plaintiff Leo White and Plaintiffs Linda and Kimberly Council in the above referenced matters. Brooklyn A and Peter Cross of Jacob, Medinger & Finnegan, LLP will continue to represent Mr. White and the Councils in those actions.

Mr. Wagner's death is a huge loss to Brooklyn A and the neighborhoods we serve. He will be deeply missed by co-workers, colleagues and clients. Should you have any questions on the matter, please feel free to contact me.

Very Truly Yours,



Joseph M. Sanders (JS2530)

Cc:

2 Re: M&T v. White, White v. Better Homes Depot Docket No. 04 CV 4775;  
Council v. Better Homes Depot Docket No. 04 CV 5620

Hon. Viktor V. Pohorelsky  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
*Via ECF and Regular Mail*

All Counsel  
*Via ECF*